

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Fig. 2. This sheet replaces the original sheet of Fig. 2. In Fig. 2 previously used element numbers 212, 214, 222, 224, 232, 234, 236 and 238 have been removed.

Attachment:      Replacement Sheet  
                         Annotated Sheet Showing Changes

### **REMARKS/ARGUMENTS**

In an Office Action dated June 21, 2007, the abstract and Fig. 2 were objected to, claims 1-3, 6, 9, 12-23, 26, 29, 32-43, 46, 49, 51-63, 66, 69, 71-83, 86, 89, and 92-105 were rejected under § 102 over Yamada; claims 4, 24, 44, 64 and 84 were rejected under § 103 over Yamada in view of Munter; and claims 5, 7, 8, 10, 11, 25, 27, 28, 30, 31, 45, 47, 48, 50, 65, 67, 68, 70, 85, 87, 88, 90, and 91 were rejected under § 103 over Yamada in view of Battle. Applicants have amended the abstract and drawings to address the objections and made amendments to the independent claims to clarify them. Applicants request consideration of the following arguments.

#### **Objections**

The Abstract and drawings were objected to. The Abstract has been revised to be more descriptive and otherwise comply with the rules. Fig. 2 has been amended to delete the un-referenced numbers. Applicants submit that these changes address the objections.

#### **§ 102 Rejections**

##### **Claims 1, 21, 41, 61, 81 and 101**

Claims 1, 21, 41, 61, 81 and 101 were rejected under § 102 over Yamada. The claims have been amended to better clarify the claimed invention. Specifically, the relationship between physical ports and a logical port to form a trunked group has been clarified and the balancing being done using logical ports has been made explicit. Further, the property of a trunked group delivering frames in order has been made explicit. Additionally, the property that frames are balanced in a trunked group has been made explicit, this resulting in a two level balancing, first using the logical ports and second inside the trunked group.

Reviewing Yamada, and as effectively admitted in the § 103 rejection, Yamada does not teach or suggest using a logical port to designate a trunked group of physical

ports. The § 103 rejection relied on Munter and Battle to show trunked groups. However, neither of those two references shows trunks groups where frames in the trunked group are delivered in order, a requirement of the independent claims. Merely mentioning forming a trunk (Munter) or link aggregation (Battle) does not teach or suggest the requirement of in order delivery. Thus one claim element is missing.

The claims further require that any of the physical ports can be corresponded to a logical port to form a trunk. Yamada only indicates one physical port to correspond to a logical port. Munter and Battle each just mention trunking, as noted above, and do not indicate how a particular trunk is designated. There is no relationship suggested in the references that allow this flexibility as claimed. Therefore another element is missing.

Then it must be further noted that this flexible correspondence is in addition to the in order delivery requirement for the trunked group. With both elements missing from the references, the combination of the elements clearly cannot be taught or suggested.

Applicants submit that claims 1, 21, 41, 61, 81 and 101 are allowable over the cited references, so that all of the claims are allowable.

**Claims 17, 19, 37, 39, 57, 59, 77, 79, 97 and 99**

Claims 17, 19, 37, 39, 57, 59, 77, 79, 97 and 99 all require selecting physical ports based on a source and/or destination tag added to the frame. The Office Action cites Yamada, most particularly Fig. 8, S8. Referring to col. 9, lines 41 to 47, the operation of Yamada is clearly explained. In step S7 the data path manager consults the mapping table to determine the physical port to use. Then in step S8, the step following step S7, the appropriate L1 label is added. Thus Yamada has clearly made its physical port selection before the tag is added, the opposite of the claim requirement where the selection is based at least in part on the tag. Therefore Yamada actually teaches away from the claims. Applicants therefore submit that the claims are allowable.

**CONCLUSION**

Based on the above remarks Applicants respectfully submit that all of the present claims are allowable. Reconsideration is respectfully requested.

Respectfully submitted,

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